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\*E-FILED - 7/13/04\*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
SUIBIN ZHANG,  
  
Defendant.

No. CR 05-00812 RMW (HRL)

STIPULATION AND []  
ORDER CONTINUING DATE FOR  
STATUS CONFERENCE AND  
EXCLUDING TIME

Date: July 17, 2006  
Time: 9:00 a.m.

Before The Honorable Ronald M. Whyte

The parties to this case hereby agree and stipulate as follows:

WHEREAS,

1. The parties have only now reached a tentative agreement regarding a protective order that will govern discovery in this case;

2. As a result of their inability to agree sooner, the discovery process has been delayed; and

3. The parties both desire that defendant have received and had the opportunity to review additional discovery before making another status appearance before the Court, so that they might both be in a better position to advise the Court accurately regarding their respective positions;

1           4.       The Court has previously excluded time in this case, by stipulation of the parties,  
2 pursuant to 18 U.S.C. § 3161(h)(8)(B)(i) and (iv); and

3           5.       The parties continue to agree that the time occasioned by this continuance and  
4 prior continuances is excludible pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and (B)(i) and (iv).

5           IT IS THEREFORE STIPULATED AS FOLLOWS:

6           The case should be continued for a further status and setting conference to occur on  
7 Monday, September 18, 2006, at 9:00 a.m., before The Honorable Ronald M. Whyte, United  
8 States District Judge. Time between July 17 and the date set forth above should be excluded  
9 from the Speedy Trial clock for the reasons set forth above.

10  
11       DATE:

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JAY RORTY  
NICHOLAS P. HUMY  
Counsel for Defendant

12  
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14  
15       DATE:

\_\_\_\_\_  
DAVID R. CALLAWAY  
KYLE F. WALDINGER  
Counsel for Plaintiff

**ORDER**

Based upon the foregoing Stipulation and good cause appearing therefor,

IT IS HEREBY ORDERED that this matter is continued for further status and setting conference to occur on Monday, September 18, 2006, at 9:00 a.m.

IT IS FURTHER ORDERED that the time between July 17 and September 18, 2006 above shall be excluded from the computation the period within which the trial must commence, for the reasons and based upon the statutory provisions set forth by the parties in this Stipulation. The Court finds that the ends of justice outweigh the interests of the public and the parties in a speedier trial based upon the grounds set forth above.

DATED: 7/13/06

/S/ RONALD M. WHYTE

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RONALD M. WHYTE  
United States District Judge

1 Distribute to:

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